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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 ANTHONY MITCHELL, et al.,)
7 Plaintiffs,) 2:13-cv-01154-APG-CWH
8 vs.) ORDER
9 CITY OF HENDERSON, et al.,)
10 Defendants.)
11 _____)

12 Presently before the court is Plaintiffs Anthony Mitchell, Michael Mitchell, and Linda
13 Mitchell's attorneys' Motion to Withdraw as Counsel and Stay Proceedings (ECF Nos. 142,
14 143), filed on September 19, 2017. A hearing on this motion is set for October 2, 2017. (Order
15 (ECF No. 144).) The parties filed a stipulation (ECF No. 145) to continue the hearing that states
16 the Plaintiffs are unavailable for the hearing because they are out of the country. Given the
17 Plaintiffs' unavailability, the court will vacate the hearing.

18 Regarding the motion to withdraw, the court has read and considered the motion and
19 finds that there is good cause to allow Plaintiffs' attorneys to withdraw. The court therefore will
20 grant the motion and will give Plaintiffs until November 15, 2017, to notify the court whether
21 they intend to retain a new attorney or represent themselves. As there are no upcoming deadlines
22 in the district court case, the court will deny the motion to stay.

23 IT IS THEREFORE ORDERED that the hearing set for Monday, October 2, 2017, at
24 3:00 p.m. is VACATED.

25 IT IS FURTHER ORDERED that the parties' stipulation (ECF No. 145) to continue the
26 hearing is DENIED as moot.

27 IT IS FURTHER ORDERED that attorneys Cal J. Potter, III and C.J. Potter, IV's motion
28 to withdraw as counsel (ECF No. 143) is GRANTED.

1 IT IS FURTHER ORDERED that Plaintiffs' motion to stay (ECF No. 142) is DENIED
2 without prejudice.

3 IT IS FURTHER ORDERED that C.J. Potter, IV must serve (1) a copy of this order, and
4 (2) a list of all upcoming deadlines related to the Ninth Circuit Appeal on Plaintiffs Anthony
5 Mitchell, Michael Mitchell, and Linda Mitchell. Mr. Potter must file proof of that service by
6 October 6, 2017.

7 IT IS FURTHER ORDERED that by November 15, 2017, Plaintiffs must file a notice
8 with the court stating whether they will represent themselves, unless an attorney files a notice of
9 appearance on Plaintiffs' behalf before that date.

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11 DATED: September 28, 2017

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15 C.W. Hoffman, Jr.
16 United States Magistrate Judge
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